

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATEDDate of filing in State Engineer's Office **JAN 20 1995**Returned to applicant for correction **FEB 6 - 1995**Corrected application filed _____ Map filed **MAR 22 1995**The applicant **Gary and Toni Garms**

P.O. Box 170

Street and No. or P.O. Box No.

of **Smith**

City or Town

Nevada 89430

State and Zip Code No.

hereby make application for permission to change the

Point of Diversion and Place of Use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under **Permit 25279 (Certificate 8423)**

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is **underground**

Name of stream, lake, underground spring or other source.

2. The amount of water to be changed **2.52 cfs**

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for **irrigation and domestic**

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for **irrigation and domestic**

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point **within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, T.11N.,**

Describe as being within a 40-acre subdivision of public survey and by course and

R.24E., M.D.B.&M. or at a point from which the N $\frac{1}{2}$ corner of said Section 33 bears

distance to a section corner. If on unsurveyed land, it should be stated.

N40°43'33"E a distance of 1,641.67 feet6. The existing permitted point of diversion is located within the **NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, T.11N., R.24E.,**

If point of diversion is not changed, do not answer.

M.D.B.&M. or at a point from which the S $\frac{1}{4}$ corner of Section 28, T.11N., R.24E., M.D.B.&M.**bears N45°00'00"E a distance of 1,769.00 feet.**7. Proposed place of use **within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28, and within**

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, all in T.11N., R.24E., M.D.B.&M.**159 acres total**8. Existing place of use **40 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, 40 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of**

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

Section 28, 39 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28, 40 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section

manner of use of irrigation permit, describe acreage to be removed from irrigation.

33, all in T.11N., R.24E., M.D.B.&M.9. Use will be from **January 1** to **December 31** of each year.

Month and Day

Month and Day

10. Use was permitted from **January 1** to **December 31** of each year.

Month and Day

Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) **sprinkler system and ditches**

State manner in which water is to be diverted, i.e. diversion structure,

ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works **\$10,000**13. Estimated time required to construct works **1 year**

14. Estimated time required to complete the application of water to beneficial use 3 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

See map supporting Application 25279

By s/ Wyatt J. Owens

1466 hwy 395
Gardnerville, Nv. 89410

Compared sm/ gkl

cl/ct

Protested _____

APPROVAL

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 25279, Certificate 8423 is issued subject to the terms and conditions imposed in said Permit 25279, Certificate 8423 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 60816 and 60817 shall not exceed 646.04 acre-feet annually for the irrigation of 161.5 acres within the described place of use.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The issuance of Permit 60817 expires Permit 60813-T.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.52 cubic feet per second but not to exceed 636.0 acre-feet

annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before September 11, 1996

Proof of completion of work shall be filed before October 11, 1996

Application of water to beneficial use shall be made on or before September 11, 1997

Proof of the application of water to beneficial use shall be filed on or before October 11, 1997

Map in support of proof of beneficial use shall be filed on or before October 11, 1997

Completion of work filed JUN 20 1996

Proof of beneficial use filed OCT 29 1997

Cultural map filed OCT 29 1997

Certificate No. 14796 Issued DEC 16 1997

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 27th day of October

A.D. 19 95

Christine Thiel
State Engineer

by: Christine Thiel, P.E.,
Deputy State Engineer